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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/123,109	07/27/1998	JAMES DUKE BOND	RIC-97-120	5163

25537 7590 12/02/2004

MCI, INC
 TECHNOLOGY LAW DEPARTMENT
 1133 19TH STREET NW, 10TH FLOOR
 WASHINGTON, DC 20036

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/123,109

Applicant(s)

BOND ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-33** are rejected under 35 U.S.C. 102(e) as being anticipated by Longo et al. (US 5,912,956).

Regarding **claims 1, 10, 16 and 19**, Longo discloses a system for recording a personal greeting associated with a pre-paid telephone calling card (column 1, lines 8-24), comprising:

a data storage system for storing data corresponding to a pre-paid telephone calling card and a personal greeting related to the pre-paid telephone calling card (column 4, lines 45-54) [The memory device included in the controller 24 stores data of a calling card and messages inputted by the subscriber]; and

a pre-paid telephone calling card processing system coupled to the data storage system and configured to receive a request to record the personal greeting during a calling card setup call over a telephone network and to cause the personal greeting to be recorded during the calling card setup call (column 5, lines 49-66) [The system 20

allows the subscribers with a master control calling cards and a master control pins to set calling card using the telephone and leave a personal greeting for the caller with the calling card].

Regarding **claims 2 and 20**, Longo discloses the data storage system and the pre-paid calling card processing system are remotely located (column 4, lines 24-44).

Regarding **claims 3, 11, 21 and 28**, Longo discloses the data corresponding to the pre-paid telephone calling card includes a quantity corresponding to a number of service units available to be used to make at least one call in relation to the pre-paid telephone calling card (column 4, lines 24-44).

Regarding **claims 4, 12 and 22**, Longo discloses the call is a long distance telephone call (column 4, lines 55-66).

Regarding **claims 5, 13, 23 and 29**, Longo discloses the service units correspond to telephone call service minutes (column 5, lines 49-66).

Regarding **claims 6, 14 and 24**, Longo discloses the pre-paid telephone calling card processing system causes the personal greeting to be recorded within the data storage system in accordance with a card identifier corresponding to the pre-paid telephone calling card (column 4, lines 24-44).

Regarding **claims 7 and 25**, Longo discloses a voice data storage facility coupled to the pre-paid telephone calling card processing system and to the data storage system, and operative to store the personal greeting based on a card identifier corresponding to the pre-paid telephone calling card (column 4, lines 24-44).

Regarding **claims 8 and 26**, Longo discloses a voice response system coupled to the pre-paid calling card processing system and configured to prompt a caller to record the personal greeting via at least one voice prompt during the setup call over the telephone network (column 5, lines 23-48).

Regarding **claim 9**, Longo discloses the personal greeting is to be played back via the pre-paid telephone card processing system during an access call related to the pre-paid telephone card, the access call made in accordance with the use of the pre-paid telephone calling card (column 5, lines 23-48).

Regarding **claims 15 and 30**, Longo discloses the personal greeting stored during the causing step is to be played back automatically during an access call related to the pre-paid telephone calling card (column 5, lines 23-48).

Regarding **claim 17**, Longo discloses the personal greeting is stored in a data storage system in accordance with the card identifier (column 4, lines 45-54).

Regarding **claim 18**, Longo discloses the telephone network is the publicly switched telephone network (column 4, lines 24-44).

Regarding **claim 27**, Longo discloses all the limitations of **claim 27** as stated in **claim 1**'s rejection above and furthermore discloses receiving a request to make an outbound telephone call in relation to the pre-paid telephone calling card during an access call over a telephone network (column 5, lines 49-66) [The caller is able to make an outbound call through the system after input a pin number associated with the calling card therefore limiting calls for the teenagers using the telephone calling card].

Regarding **claim 31**, Longo discloses a method of using a pre-paid telephone calling card (column 1, lines 7-24) comprising the steps of:

accessing a prepaid telephone calling card processing system during a telephone service access call via a telephone network (column 5, lines 23-48) [The caller access the system 20 via a telephone network using a toll free number];

entering a card identifier corresponding to data addressable by the pre-paid telephone calling card processing system (column 5, lines 23-48) [The caller enters the pin number in the face of the card associated with the system 20];

retrieving a pre-recorded greeting associated with the pre-paid telephone calling card based on the card identifier entered during the entering step (column 5, lines 23-48) [The caller has the option after accessing the system to retrieve a prerecorded message].

playing the pre-recording personal greeting during the telephone access service access call (column 5, lines 23-48) [The system 20 uses a voice synthesizer 26 to play the message to the caller].

Regarding **claim 32**, Longo discloses the step of entering a terminating telephone number to which an outbound call will be placed automatically after the pre-recorded personal greeting has been played (column 5, lines 23-48).

Regarding **claim 33**, Longo discloses the accessing and entering steps are carried out remotely from the retrieving and playing steps (column 5, lines 23-48).

Response to Arguments

3. Applicant's arguments with respect to **claims 1-33** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

g.g.
November 29, 2004



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